

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re: : Chapter 11
:
JOSEPH KLAYNBERG, : Case No. 22-10165 (MG)
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Debtor. :
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FEE APPLICATION SUMMARY SHEET

**COVERSHEET TO FIRST INTERIM APPLICATION OF TSYNGAUZ &
ASSOCIATES, PC, AS SPECIAL COUNSEL FOR THE DEBTOR, FOR ALLOWANCE
OF COMPENSATION AND REIMBURSEMENT OF EXPENSES FOR THE PERIOD
FEBRUARY 11, 2022 UNTIL JUNE 30, 2022**

Name of Applicant:	Tsyngauz & Associates, PC
Name of Client:	Joseph Klaynberg
Authorized to Provide Professional Services as:	Special Counsel to the Debtor
Petition Date:	February 11, 2022
Date of Retention:	March 23, 2022, <i>nunc pro tunc</i> to February 11, 2022
Date of Order Approving Employment:	March 23, 2022
Rate in this Application for Timekeeper:	\$400.00
Period for which Compensation and Reimbursement is Requested:	February 11, 2022 through June 30, 2022 ("Application Period")
Total Requested Interim Compensation:	\$5,080.00
Total Requested Expense Reimbursement:	N/A

Compensation Sought in this Application
Already Paid Pursuant to a Monthly
Compensation Order but not yet Allowed: \$608

Expenses sought in this Application
Already Paid Pursuant to a Monthly
Compensation Order but not yet Allowed: N/A

Number of Professionals Included in
this Application: 1

Total Compensation and Expenses
Previously Requested: \$0.00

Total Compensation and Expenses
Previously Awarded: \$0.00

Name, Billing Rate, and Department of
Attorneys Included in this Application: See Exhibit B

Total Hours: 12.70

This is a first interim fee application.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re:

JOSEPH KLAYNBERG,

Debtor.

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: Chapter 11

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: Case No. 22-10165 (MG)

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**FIRST INTERIM APPLICATION OF TSYNGAUZ & ASSOCIATES, PC, AS SPECIAL
COUNSEL FOR THE DEBTOR, FOR ALLOWANCE OF COMPENSATION AND
REIMBURSEMENT OF EXPENSES FOR THE PERIOD
FEBRUARY 11, 2022 UNTIL JUNE 30, 2022**

Tsyngauz & Associates, PC ("Tsyngauz"), Special Counsel for the Debtor, hereby submits this first interim application of Tsyngauz, as Special Counsel for the Debtor, for allowance of compensation and reimbursement of expenses (the "Application") for the period February 11, 2022 through and including June 30, 2022 (the "Application Period"), pursuant to 11 U.S.C. § 331, Rule 2016 of the Federal Rules of Bankruptcy Procedure, S.D.N.Y. LBR 2016-1 and the Order Pursuant to Sections 105(a) and 331 of the Bankruptcy Code Establishing Procedures for Interim Compensation and Reimbursement of Expenses of Professionals (the "Interim Compensation Order") [Docket No. 45], seeking allowance and payment of fees in the amount of \$5,080.00, for services rendered during the period from February 11, 2022 through June 30, 2022, for which no prior application has been considered by this Court (the "First Application Period"). In support of the Application, Tsyngauz states as follows:

JURISDICTION, VENUE AND STATUTORY PREDICATES

1. This Court has jurisdiction over this Application pursuant to 28 U.S.C. §§ 157 and 1334. This matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2). Venue of

this proceeding and this Application in this District is proper pursuant to 28 U.S.C. §§1408 and 1409.

2. The statutory bases for the relief requested herein are section 331 of title 11 of the United States Code (the "**Bankruptcy Code**"), Rule 2016 of the Federal Rules of Bankruptcy Procedure (the "**Bankruptcy Rules**"), and Rule 2016-1 of the Local Rules for the United States Bankruptcy Court for the Southern District of New York (the "**Local Rules**"). This Application has been prepared in accordance with General Order M-447, Amended Guidelines for Fees and Disbursements for Professionals in Southern District of New York Bankruptcy Cases, entered January 29, 2013 (the "**Local Guidelines**"), and the United States Trustee Guidelines for Reviewing Applications for Compensation and Reimbursement of Expenses Filed Under 11 U.S.C. § 330 effective January 30, 1996 (the "**UST Guidelines**" and, together with the Local Guidelines, the "**Guidelines**"). Pursuant to the Local Guidelines, a certification regarding compliance with the Local Guidelines is attached hereto as **Exhibit A**.

I. BACKGROUND

3. On February 11, 2022 (the "Petition Date"), debtor Joseph Klaynberg ("**Debtor**") filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code. The Debtor is operating its business and managing its properties as debtor-in-possession pursuant to §§ 1107(a) and 1108 of the Bankruptcy Code. No request for the appointment of a trustee or examiner has been made in this chapter 11 case.

4. The statutory predicates for the relief sought herein are section 327 of the Bankruptcy Code, Bankruptcy Rule 2014 and Local Rule 2014-1.

II. APPLICANT'S RETENTION AND INTERIM COMPENSATION

5. On March 11, 2022, the Court entered the Interim Compensation Order [Docket No. 45]. Pursuant to the terms of the Interim Compensation Order, Tsyngauz, among others, is authorized to file and submit monthly fee statements to the Debtor, Debtor's counsel, counsel to Series 2020 of Nahla Capital LLC, and United States Trustee.

6. On March 22, 2022, the Debtor filed the Notice of Presentment of Debtor's Application for Entry of an Order Authorizing the Retention of Tsyngauz as Special Counsel to the Board of Trustees of the Debtor Pursuant to Sections 327(e) and 1107 (b) of the Bankruptcy Code (the "Retention Application") [Docket No. 55].

7. On March 26, 2022, this Court entered an order approving the Retention Application (the "**Retention Order**") [Docket No. 56]. A copy of the Retention order is attached as **Exhibit E**.

8. Pursuant to the Interim Compensation Order, Tsyngauz submitted monthly fee statements for February 2022 through June 2022 in accordance with the Interim Compensation Order.

III. DESCRIPTION OF SERVICES RENDERED AND EXPENSES INCURRED

9. Tsyngauz maintains contemporaneous records of the time expended for the professional services and expenses related thereto performed in connection with this chapter 11 case and such records are maintained in the ordinary course of its business. These records provide a detailed description of the services rendered and expenses incurred during the period for which this Application is being made. Tsyngauz's time records in the sum of \$5,080.00 for the Application Period are annexed hereto as **Exhibit D**. The records are broken down according

to specific task categories relating specifically to this chapter 11 case. If the Court requires any further descriptions on these time entries, Tsyngauz will provide additional information.

10. A summary of the names of all of Tsyngauz's professionals and paraprofessionals requesting fees, the hourly rates charged by each and the hours worked by each in the Application Period is attached hereto as **Exhibit B**.

11. Pursuant to the Guidelines, a summary of the project categories used by Tsyngauz, the number of hours spent by Tsyngauz's professionals by project category and the total fees incurred for each project category in the Application Period is attached hereto as **Exhibit C**.

12. All time spent is only connection with one (1) category, which was the pending appeals pending in Appellate court related to the Debtor. The invoices for the time entries for services are included in Exhibit D.

13. Tsyngauz submits that all services for which compensation is requested have been actually provided to the Debtor, and to no other parties, and have been necessary for the proper and effective administration of these cases and for the benefit of the Debtor's estate and creditors.

14. Tsyngauz submits that the fair and reasonable value of these services is based primarily on the normal hourly rates of the attorneys and paralegals providing such services and is based on the customary compensation charged comparable skilled practitioners in services in cases not proceeding under title 11.

15. Tsyngauz submits that its requested hourly rates set forth on **Exhibit B** are equal to or less than the rates of lawyers of reasonably comparable skills, experience and reputation in cases of similar complexity and size in the geographic area in which it practices.

16. Tsyngauz believes that the services rendered during the Application Period on behalf of the Debtor are reasonably worth the sum of \$5,080.00 and Tsyngauz requests the allowance of such sum.

17. The Debtor has been given an opportunity to review this Application and has approved the request for interim compensation during the Application Period in the amount of \$5,080.00.

III. NOTICE

18. Copies of this application will be served on the Debtor, its counsel, the United States Trustee, and all parties entitled to notice in the Debtor's case (the "Notice Parties"). Notice of the compensation requested and the hearing date to consider the Application will be sent to the Notice Parties and all creditor parties' interest pursuant to any notice procedures order entered in this case.

WHEREFORE, Tsyngauz prays this Court to enter an Order (a) granting Tsyngauz interim allowance of compensation from February 11, 2022 through June 30, 2022, in the amount of \$5,080.00 (the "Allowed Amounts"); (b) directing the Debtor to make payment to Tsyngauz for any remainder of the Allowed Amounts; and (c) granting Tsyngauz such other and further relief as is just.

Dated: New York, NY
July 19, 2022

TSYNGAUZ & ASSOCIATES, P.C.

BY: /s/ Ryan Banich
Ryan C. Banich, Esq.
114 Mulberry St, Ground Fl.
New York, NY 10013
(212) 337-9770

Special Counsel to the Debtor

EXHIBIT A

**CERTIFICATION UNDER GUIDELINES FOR FEES AND DISBURSEMENTS FOR
PROFESSIONALS IN RESPECT OF FIRST INTERIM APPLICATION OF TSYNGAUZ
& ASSOCIATES, PC AS SPECIAL COUNSEL FOR THE DEBTOR FOR
COMPENSATION AND REIMBURSEMENT OF EXPENSES FOR THE PERIOD
FEBRUARY 11, 2022 UNTIL JUNE 30, 2022**

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re:

JOSEPH KLAYNBERG,

Debtor.

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Chapter 11

Case No. 22-10165 (MG)

**CERTIFICATION UNDER GUIDELINES FOR FEES AND DISBURSEMENTS FOR
PROFESSIONALS IN RESPECT OF FIRST INTERIM APPLICATION OF
TSYNGAUZ & ASSOCIATES, PC AS SPECIAL COUNSEL FOR THE DEBTOR
FOR COMPENSATION AND REIMBURSEMENT OF EXPENSES FOR THE
PERIOD FEBRUARY 11, 2022 UNTIL JUNE 30, 2022**

I, Ryan C. Banich, hereby certify that:

1. I am an attorney with the application firm, Tsyngauz & Associates, P.C. (“Tsyngauz”), which serves as Special Counsel to Joseph Klaynberg (the "**Debtor**") in this Chapter 11 case.

2. This certification is made in respect of the Firm's compliance with the amended Guidelines for Fees and Disbursements for Professionals in Southern District of New York Bankruptcy Cases, amended as of June 17, 2013, promulgated pursuant to Local Bankruptcy Rule 2016-1(a) (the “Fee Guidelines”), and *Order Establishing Procedures for Interim Compensation*, entered March 11, 2022 [Docket No. 45] (the “Order,” together with the Fee Guidelines, the “Guidelines”).

3. This certification is made in respect of compliance with the Guidelines in connection with Tsyngauz’s application (the “Application”) dated July 19, 2022, for interim compensation and reimbursement of expenses for the period commencing February 11, 2022 through and including June 30, 2022 (the “First Application Period”).

4. In respect of Section B. I of the Local Guidelines, I certify that:

1. I have read the Application;
2. To the best of my knowledge, information, and belief formed after reasonable inquiry, the fees and expenses sought fall within the Guidelines;
3. The fees and disbursements sought in this Application are billed at rates and are in accordance with practices customarily employed by Tsyngauz and are generally accepted by Tsyngauz's clients; and
4. In providing the reimbursable services reflected in the Application, the Firm did not make a profit on those services, whether performed by the Firm in-house or through a third party.

5. In respect of Section B.2 of the Fee Guidelines, I certify that in accordance with the Order, Tsyngauz filed fee statements monthly in accordance therewith by the 21st day of the succeeding month, which statements were approved by the Debtor. Such statements were served upon the Office of the United States Trustee and counsel for Nahla contemporaneously with their filing. The statements included the amount of fees and out-of-pocket expenses incurred, lists of professionals and paraprofessionals providing services, their respective billing rates, the work hours expended by each individual, descriptions of services rendered, and a reasonably detailed breakdown of out-of-pocket expenses incurred.

6. In accordance with Section B.3 of the Fee Guidelines, I certify that Tsyngauz provided copies of this Application to the Debtor and the United States Trustee, at least 14 days before the date for the hearing scheduled to approve sale, and that the Debtor has approved the amount sought in the Application.

7. In accordance with Bankruptcy Rule 2016(a) and section 504 of the Bankruptcy Code, I certify that no agreement or understanding exists between Tsyngauz and any other entity for the sharing of compensation received or to be received for services rendered in or in

connection with the above cases except as authorized pursuant to the Bankruptcy Code, the Bankruptcy Rules, and the Local Bankruptcy Rules. All services for which compensation is sought were professional services on behalf of the Debtor and not on behalf of any other person

Dated: New York, NY
July 19, 2022

TSYNGAUZ & ASSOCIATES, P.C.

BY: /s/ Ryan Banich
Ryan C. Banich, Esq.
114 Mulberry St, Ground Fl.
New York, NY 10013
(212) 337-9770
Special Counsel to the Debtor

EXHIBIT B

**COMPENSATION BY TIMEKEEPER FOR THE PERIOD
FEBRUARY 11, 2022 UNTIL JUNE 30, 2022**

Professional Person	Position with Tsyngauz and Date of Admission	Hourly Billing Rate	Total Billed Hours	Total Compensation
Yevgeny Tsyngauz	Partner (03/07/2001)	\$420.00	n/a	
Ryan Banich	Senior Associate (7/14/2016)	\$400.00	12.70	\$5,080.00
Steven Gordon	Senior Associates (12/12/2018)	\$400.00	n/a	

EXHIBIT C

**COMPENSATION BY PROJECT FOR THE PERIOD
FEBRUARY 11, 2022 UNTIL JUNE 30, 2022**

<u>PROJECT CATEGORY/TASK</u>	<u>TOTAL HOURS</u>	<u>TOTAL FEES</u>
Appeals	12.70	\$5,080.00
TOTAL:	12.70	\$5,080.00

EXHIBIT D(1)

FEBRUARY AND MARCH 2022 INVOICE FILED WITH
MARCH 2022 FEE STATEMENT

CULLEN & DYKMAN LLP
100 Quentin Roosevelt Boulevard
Garden City, NY 11530
(516) 357-3700
Matthew G. Roseman, Esq.
Bonnie L. Pollack, Esq.
mroseman@cullenanddykman.com
bpollack@cullenanddykman.com

Counsel for the Debtor

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re: :

JOSEPH KLAYNBERG, :

Debtor. :
----- X

: Chapter 11

: Case No. 22-10165 (MG)

**NOTICE OF MONTHLY FEE STATEMENT FOR DEBTOR'S SPECIAL APPELLATE
COUNSEL FOR THE MONTH OF MARCH 2022**

PLEASE TAKE NOTICE that pursuant to the Order of the Bankruptcy Court dated March 11, 2022 Establishing Procedures for Interim Compensation and Reimbursement of Expenses of Professionals, the Monthly Fee Statement for Debtor's Special Appellate Counsel for the month of March 2022 is attached hereto.

Dated: Garden City, New York
April 19, 2022

CULLEN AND DYKMAN LLP
Counsel for Debtor

By: s/ Bonnie Pollack
Matthew G. Roseman, Esq.
Bonnie L. Pollack, Esq.
100 Quentin Roosevelt Boulevard
Garden City, NY 11530
(516) 357-3700

Tsyngauz & Associates, PC - 114 Mulberry Street, Ground Fl., New York, NY 10013
Case Name: WWML96, LLC (Invoice #9369)
Invoice Date: 04/18/2022

Date	Description	Hours	Rate	Timekeeper	Amount
2/14/2022	Call with bankruptcy attorneys, obtained details of settlement negotiations, updated case notes	0.50	400.00	RB	\$200.00
2/21/2022	Conference call with BK attorneys to discuss BK motion to permit, drafted retainer and appeal summary	0.80	400.00	RB	\$320.00
2/24/2022	Reviewed entire case, transferred necessary docs to start making appeal record	0.40	400.00	RB	\$160.00
2/25/2022	Reviewed/edited firm description for BK issue, drafted personal summary	0.10	400.00	RB	\$40.00
3/3/2022	Conference call with bankruptcy attorney to discuss subpoena issues, updated case notes	0.50	400.00	RB	\$200.00
3/4/2022	Reviewed WWIG org chart	0.60	400.00	RB	\$240.00
3/7/2022	Reviewed BK affidavit for Yevgeny and forwarded same	0.10	400.00	RB	\$40.00
3/14/2022	Quick review of letter from Nahla's attorney (.20); Reviewed engagement letter, made edits (.20); Reviewed amended motion from BK attorney (.20); Quick review of notes for mediation (.20); Conference call with BK Attorney (.20); Started reviewing docs submitted by client regarding Nahla subpoena (.20)	1.20	400.00	RB	\$480.00
3/15/2022	Reviewed case notes in preparation for mediation (.60); attended mediation (.50), updated case notes (.60)	1.70	400.00	RB	\$680.00
3/16/2022	Reviewed case for BK attorney and provided info	0.20	400.00	RB	\$80.00
3/22/2022	Received executed BK application for retention, printed, scanned, and returned to BK attorney	0.10	400.00	RB	\$40.00
3/28/2022	Started drafting outline for appeal	1.20	400.00	RB	\$480.00
3/30/2022	reviewed prior motion and DE statutes and finalized legal arguments for BK attorneys	1.40	400.00	RB	\$560.00
3/31/2022	Final review of legal arguments for bankruptcy attorney	0.30	400.00	RB	\$120.00
4/7/2022	Conference call with BK attorney, reviewed legal actions/dockets	0.10	400.00	RB	\$40.00
4/11/2022	Reviewed bankruptcy attorney petition and submitted comments	0.80	400.00	RB	\$320.00
4/12/2022	Reviewed affidavits for BK attorneys and submitted same	0.30	400.00	RB	\$120.00
TOTAL		10.30			\$4,120.00

Yevgeny Tsyngauz Partner
Mikhail Litt Partner
Ryan Banich Senior Associate
Steven Gordon Senior Associate

EXHIBIT D(2)

APRIL 2022 INVOICE FILED WITH
APRIL 2022 FEE STATEMENT

CULLEN & DYKMAN LLP
100 Quentin Roosevelt Boulevard
Garden City, NY 11530
(516) 357-3700
Matthew G. Roseman, Esq.
Bonnie L. Pollack, Esq.
mroseman@cullenanddykman.com
bpollack@cullenanddykman.com

Counsel for the Debtor

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:	:
	: Chapter 11
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JOSEPH KLAYNBERG,	: Case No. 22-10165 (MG)
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Debtor.	:
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**NOTICE OF MONTHLY FEE STATEMENT FOR DEBTOR'S SPECIAL APPELLATE
COUNSEL FOR THE MONTH OF APRIL 2022**

PLEASE TAKE NOTICE that pursuant to the Order of the Bankruptcy Court dated March 11, 2022 Establishing Procedures for Interim Compensation and Reimbursement of Expenses of Professionals, the Monthly Fee Statement for Debtor's Special Appellate Counsel for the month of April 2022 is attached hereto.

Dated: Garden City, New York
May 18, 2022

CULLEN AND DYKMAN LLP
Counsel for Debtor

By: s/ Bonnie Pollack
Matthew G. Roseman, Esq.
Bonnie L. Pollack, Esq.
100 Quentin Roosevelt Boulevard
Garden City, NY 11530
(516) 357-3700

Tsyngauz & Associates, PC - 114 Mulberry Street, Ground Fl., New York, NY 10013

Case Name: WWML96, LLC (Invoice #9447)

Invoice Date: 05/13/2022

Date	Description	Hours	Rate	Timekeeper	Amount
4/18/2022	Reviewed loan docs, procedural history and meeting notes regarding senior loan UPB and provided to bankruptcy attorney	0.50	400.00	RB	\$200.00
4/26/2022	Drafted notes in preparation for BK mediation	0.70	400.00	RB	\$280.00
4/27/2022	Reviewed notes for BK mediation	0.30	400.00	RB	\$120.00
4/28/2022	Started drafting three letter to extend time to perfect appeals	0.40	400.00	RB	\$160.00
TOTAL		1.90			\$760.00

Yevgeny Tsyngauz	Partner
Mikhail Litt	Partner
Ryan Banich	Senior Associate
Steven Gordon	Senior Associate

EXHIBIT D(3)

MAY 2022 INVOICE FILED WITH
MAY 2022 FEE STATEMENT

CULLEN & DYKMAN LLP
100 Quentin Roosevelt Boulevard
Garden City, NY 11530
(516) 357-3700
Matthew G. Roseman, Esq.
Bonnie L. Pollack, Esq.
mroseman@cullenanddykman.com
bpollack@cullenanddykman.com

Counsel for the Debtor

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:	: Chapter 11
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JOSEPH KLAYNBERG,	: Case No. 22-10165 (MG)
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Debtor.	:
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**NOTICE OF MONTHLY FEE STATEMENT FOR DEBTOR'S SPECIAL APPELLATE
COUNSEL FOR THE MONTH OF MAY 2022**

PLEASE TAKE NOTICE that pursuant to the Order of the Bankruptcy Court dated March 11, 2022 Establishing Procedures for Interim Compensation and Reimbursement of Expenses of Professionals, the Monthly Fee Statement for Debtor's Special Appellate Counsel for the month of May 2022 is attached hereto.

Dated: Garden City, New York
June 17, 2022

CULLEN AND DYKMAN LLP
Counsel for Debtor

By: s/ Bonnie Pollack
Matthew G. Roseman, Esq.
Bonnie L. Pollack, Esq.
100 Quentin Roosevelt Boulevard
Garden City, NY 11530
(516) 357-3700

Tsyngauz & Associates, PC - 114 Mulberry Street, Ground Fl., New York, NY 10013

Case Name: WWML96, LLC (Invoice #9447)

Invoice Date: 05/13/2022

Date	Description	Hours	Rate	Timeke
5/13/2022	Received and reviewed opposition letter to request extension of time in following appeal matter: Series 2020A of Nahla Capital LLC v. Joseph Klaynberg, et al	0.20	400.00	RB
TOTAL		0.20		

Yevgeny Tsyngauz	Partner
Mikhail Litt	Partner
Ryan Banich	Senior Associate
Steven Gordon	Senior Associate

Tsyngauz & Associates, PC - 114 Mulberry Street, Ground Fl., New York, NY 10013

Case Name: WWML96, LLC (Invoice #9447)

Invoice Date: 05/13/2022

Date	Description	Hours	Rate	Timekeeper	Amount
5/13/2022	Received and reviewed opposition letter to request extension of time in following appeal matter: Series 2020A of Nahla Capital LLC v. Joseph Klaynberg, et al	0.20	400.00	RB	\$80.00
TOTAL		0.20			\$80.00

Yevgeny Tsyngauz	Partner
Mikhail Litt	Partner
Ryan Banich	Senior Associate
Steven Gordon	Senior Associate

EXHIBIT D(4)

JUNE 2022 INVOICE FILED WITH
JUNE 2022 FEE STATEMENT

CULLEN & DYKMAN LLP
100 Quentin Roosevelt Boulevard
Garden City, NY 11530
(516) 357-3700
Matthew G. Roseman, Esq.
Bonnie L. Pollack, Esq.
mroseman@cullenanddykman.com
bpollack@cullenanddykman.com

Counsel for the Debtor

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:	:	Chapter 11
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JOSEPH KLAYNBERG,	:	Case No. 22-10165 (MG)
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Debtor.	:	
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**NOTICE OF MONTHLY FEE STATEMENT FOR DEBTOR'S SPECIAL APPELLATE
COUNSEL FOR THE MONTH OF JUNE 2022**

PLEASE TAKE NOTICE that pursuant to the Order of the Bankruptcy Court dated March 11, 2022 Establishing Procedures for Interim Compensation and Reimbursement of Expenses of Professionals, the Monthly Fee Statement for Debtor's Special Appellate Counsel for the month of June 2022 is attached hereto.

Dated: Garden City, New York
July 12, 2022

CULLEN AND DYKMAN LLP
Counsel for Debtor

By: s/ Bonnie Pollack
Matthew G. Roseman, Esq.
Bonnie L. Pollack, Esq.
100 Quentin Roosevelt Boulevard
Garden City, NY 11530
(516) 357-3700

Tsyngauz & Associates, PC - 114 Mulberry Street, Ground Fl., New York, NY 10013

Case Name: WWML96, LLC (Invoice #9447)

Invoice Date: 06/30/2022

Date	Description	Hours	Rate	Timeke
6/28/2022	Conference call with Appellate Mediator regarding Joseph Klaynberg's appeal, updated case notes	0.30	400.00	RB
TOTAL		0.30		

Yevgeny Tsyngauz	Partner
Mikhail Litt	Partner
Ryan Banich	Senior Associate
Steven Gordon	Senior Associate

Tsyngauz & Associates, PC - 114 Mulberry Street, Ground Fl., New York, NY 10013

Case Name: WWML96, LLC (Invoice #9447)

Invoice Date: 06/30/2022

Date	Description	Hours	Rate	Timekeeper	Amount
6/28/2022	Conference call with Appellate Mediator regarding Joseph Klaynberg's appeal, updated case notes	0.30	400.00	RB	\$120.00
TOTAL		0.30			\$120.00

Yevgeny Tsyngauz	Partner
Mikhail Litt	Partner
Ryan Banich	Senior Associate
Steven Gordon	Senior Associate

EXHIBIT E
Retention Order

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re: : Chapter 11
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JOSEPH KLAYNBERG, :: Case No. 22-10165 (MG)
:
Debtor. :
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**ORDER FOR RETENTION OF TSYNGAUZ & ASSOCIATES, P.C.
AS DEBTOR'S SPECIAL COUNSEL**

Upon the application (the "Application") dated March 22, 2022 of Joseph Klaynberg (the "Debtor"), seeking entry of an Order pursuant to section 327(e) of the Bankruptcy Code,¹ Bankruptcy Rule 2014 and Local Rule 2014-1, authorizing the retention and employment of Tsyngauz & Associates, P.C. ("T&A") as special appellate counsel to the Debtor, effective *nunc pro tunc* to the Petition Date; and upon the Declaration of Yevgeny Tsyngauz dated March 22, 2022 (the "Tsyngauz Declaration"), which includes the statement of T&A pursuant to section 329 of the Bankruptcy Code and Bankruptcy Rule 2016; and it appearing that T&A represents no adverse interest to the Debtor or his estate in the matters upon which the firm is to be engaged; and it appearing that it is necessary and in the best interest of the estate for the Debtor to retain T&A; and it appearing that no other or further notice need be given; and after due deliberation and good and sufficient cause appearing therefor; it is hereby

ORDERED, that the Application is granted to the extent provided herein; and it is further

ORDERED, that the Debtor is hereby authorized, pursuant to section 327(e) of the Bankruptcy Code, Bankruptcy Rule 2014 and Local Rule 2014-1, to retain and employ T&A as

¹ Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Application.

Debtor's special appellate counsel in the within chapter 11 proceeding, *nunc pro tunc* to the Petition Date on the terms set forth in the Application and the Tsyngauz Declaration; and it is further

ORDERED, that all compensation to be paid to T&A shall be made only by proper application and order of the Court in accordance with sections 330 and 331 of the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, the Local Rules of Bankruptcy Procedure for the Southern District of New York, and the United States Trustee Fee Guidelines, and any applicable orders of this Court; and it is further

ORDERED, that prior to any increases in the billing rates charged for providing services in this case, T&A shall file a supplemental affidavit with the Court and provide ten (10) business days' notice to the Debtor, the U.S. Trustee and any parties in interest that have filed a notice of appearance and request for notices. The supplemental affidavit shall explain the basis for the increase in accordance with Section 330(a)(3)(F) of the Bankruptcy Code. The U.S. Trustee retains all rights to object to any increase on all grounds, including, but not limited to, the reasonableness standard provided for in Section 330 of the Bankruptcy Code, and the Court retains the right to review any increase pursuant to Section 330 of the Bankruptcy Code; and it is further

ORDERED, that T&A shall use its best efforts to avoid any duplication of services provided by any of the Debtor's other retained professionals in this chapter 11 case; and it is further

ORDERED, that the terms of this Order shall be immediately effective and enforceable upon its entry; and it is further

ORDERED, that notwithstanding any provision to the contrary in the Engagement Letter,

any dispute relating to the services provided by T&A shall be referred to arbitration consistent with the terms of the Engagement Letter only to the extent that this Court does not have, retain or exercise jurisdiction over the dispute, and 28 U.S.C. § 1334(e)(2) shall govern the forum for resolving fee disputes; and it is further

ORDERED, that notwithstanding anything to the contrary in the Engagement Letter, T&A shall not withdraw as Debtor's special counsel prior to the effective date of any chapter 11 plan confirmed in this chapter 11 case without prior approval of the Court in accordance with Local Bankruptcy Rule 2090-1(e); and it is further

ORDERED, that the Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this Order.

No Objection:

s/ Tara Tiantian
Office of the United States Trustee

IT IS SO ORDERED.

Dated: March 23, 2022
New York, New York

/s/ Martin Glenn
MARTIN GLENN
Chief United States Bankruptcy Judge